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MAY 21 2004

TELECOPIER TRANSMITTAL FORM

DATE: May 21, 2004
TO: Examiner Cuong H. Nguyen
FIRM: USPTO, Group Art Unit 3625
FAX #: (703) 872-9306
PHONE: (703) 305-4553
FROM: Jon A. Gibbons

TOTAL NUMBER OF PAGES: 10
(INCLUDING THIS PAGE)

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Richard L. SPAGNA et al.

Serial No.: 09/711,747

For: *UPDATING USAGE CONDITIONS IN LIEU OF DOWNLOAD DIGITAL RIGHTS
MANAGEMENT PROTECTED CONTENT*

Enclosed are the following:

Transmittal letter (1 page); and Amendment and Election (8 pages)

Docket No.: SOM920000016US1

150-A00-006

May 21, 2004

CONFIDENTIALITY NOTE: THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT) AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE LISTED ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR POSTAGE AND/OR TELEPHONE EXPENSES INVOLVED. THANK YOU.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : Atty. Docket No. SOM920000016US1
 Richard L. SPAGNA, et al. : Group Art Unit: 3625
 Serial No. 09/711,747 : Examiner: Cuong H. Nguyen
 Filed: November 13, 2000 : Confirmation No. 8049
 For: **UPDATING USAGE CONDITIONS IN LIEU OF DOWNLOAD DIGITAL RIGHTS MANAGEMENT PROTECTED CONTENT**

TRANSMITTAL**MAIL STOP AMENDMENT**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment and election in the above-identified application:

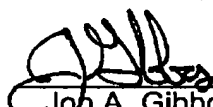
[X] No additional filing fee is required.

The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims <i>(Small Entity)</i>	16	-	20	0	18.00 (9.00)	0
Independent claims <i>(Small Entity)</i>	4	-	5	0	86.00 (43.00)	0
Multiple Dependent <i>(Small Entity)</i>	0	-	0	0	290.00 (145.00)	0
Extension of Time Fee <i>(Small Entity)</i>	One Month \$110 (\$55)		Two Months \$420 (\$210)	Three Months \$950 (\$475)		0
Total						\$0.00

XX The Commissioner is hereby authorized to charge any required fees to Deposit Account No. **09-0459**.

Respectfully submitted,

Date: 5/21/04
 By: 
 John A. Gibbons
 Reg. No. 37,333

Customer No. 23334
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OFFICIAL**PATENT**

Atty. Docket: SOM920000016US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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In re Application of:)
Richard L. SPAGNA et al.) Group Art Unit: 3625
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Confirmation No. 8049) Examiner: Cuong H. Nguyen
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For: *UPDATING USAGE CONDITIONS IN*)
LIEU OF DOWNLOAD DIGITAL RIGHTS)
MANAGEMENT PROTECTED CONTENT)

AMENDMENT AND ELECTION**VIA FACSIMILE (703) 872-9306****MAIL STOP - AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated April 21, 2004, please enter and consider the following amendment and remarks.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to U.S. Patent and Trademark Office on the date shown below:

May 21, 2004
Date

Name

Signature